

REMARKS

Claims 8, 9 and 12-17 are pending in this application. By this Amendment, claim 8 is amended and claim 17 is added. Support for added claim 17 may be found at least at Table 2 and Figs. 11-14 of the specification. No new matter is added. Reconsideration of the application based on the above amendment and following remarks is respectfully requested.

The Office Action, on page 2, indicates that claim 15 was withdrawn from consideration as being directed to a non-elected invention. Claim 15 depends from claim 8 and therefore inherits all of the features positively recited in that claim. Further, it is unreasonable for the Office Action to assert that claim 15 is directed to a non-elected invention. The claimed pair of bead portions in which single beads are embedded falls under the previously drafted claims that were directed to a generic bead core assembly and a split bead core assembly. The Examiner admits this in the November 13, 2008 Office Action, on page 2. Further, the first Office Action rejected claims 1, 8 and 11 on the basis of U.S. Patent No. 6,079,467 to Ueyoko, which is directed to a single bead core assembly. Accordingly, there is no serious burden on the Examiner to examine claims 15 and added claim 17. For at least these reasons, and because claim 8 is generic to all claims, upon allowance of claim 8, rejoinder and allowance of claim 15 is respectfully requested.

The Office Action, on page 3, rejects claims 8, 9, 12-14 and 16 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,929,045 to Ogawa in view of U.S. Patent Application Publication No. 2005/0230021. These rejections are respectfully traversed.

Ogawa is directed to a pneumatic radial tire that comprises a radial carcass that extends between a pair of bead portions each including two bead cores therein (Abstract). The Office Action alleges that Ogawa teaches many of the features positively recited in at least independent claim 8. The Office Action concedes that Ogawa fails to teach the folded

end of the turn-up layer is laid, in the tire's radial direction, outside of a line segment QB which connects in outermost point Q of a rim guard in the tires width direction and an intersection B of the inner surface of the tire and a line extending outwardly in the tire's radial direction from the outermost point Q at an angle of 60° in relation to a line parallel to the rim radial line. The Office Action asserts that it would have been obvious to one of ordinary skill at the time the invention was made to extend the carcass turn-up end in accordance to the claimed invention (in a general region outside the bead apex because such a position is consistent with the arrangement of carcass turn-up ends). This analysis of the Office Action fails for at least the following reasons.

The Office Action overly broadly construes what Ogawa can reasonably be considered to teach, or to have suggested, with respect to the subject matter of the pending claims. Ogawa is directed to a tire having a split bead core assembly (col. 2, lines 18-61). Claim 8 is directed to a runflat tire comprising a carcass toroidally extending over a pair of bead portions in which beads are embedded. Further, the pending claims are directed to a runflat tire that comprises a reinforcing rubber layer that has a crescent sectional shape and is arranged at an interior surface side of the carcass at least in the pair of sidewall portions, whereas Ogawa fails to teach or suggest such a reinforcing rubber. Even still further, claim 8 specifies the specific position of the folded end of the turn-up layer under a condition where the tires assembled to a standard rim to form a tire/wheel assembly.

Specifically, claim 8 recites that the tire is assembled to a standard rim to form a tire/wheel assembly and then a maximum load is applied to the tire with no inner pressure applied thereto, the folded end of the turn-up layer is laid, in the tire's radial direction, outside of a segment QB which connects an outermost point Q of a rim guard in the tire's width direction and an intersection B of the inner surface of the tire and a line extending outwardly in the tire's radial direction from the outermost point Q at an angle of 60° in relation to a line

parallel to the rim radial line. Such features significantly improve the runflat durability of the tire.

Similarly, Cottrell is also directed to a tire having a split bead core assembly. Specifically, Cottrell is directed to a tire having a carcass structure anchored in each side of the tire and a bead, are reinforced summit, and two sidewall portions joining the summit, in which each bead has a base, which is intended to be mounted on the tire's design mounting rim, and is extended radially upward by one of the sidewall portions. Each bead further has an anchoring zone for anchoring the carcass in the bead, in which the carcass structure has at least one circumferential alignment of cords in each bead anchoring zone which progressively divides in the respective sidewall portion in at least two circumferential alignments of cords. Cottrell teaches a runflat reinforcing member is disposed between the two carcass cord alignments in which the runflat reinforcing member is in direct contact with the cords of the two circumferential alignments (Abstract). Because Cottrell is not applied in a manner to make up for the above-identified shortfall in Ogawa, no reasonable combination of the currently-applied references can be considered to teach, or to have suggested, the subject matter recited in at least independent claim 8.

Further, the conclusion reached in the Office Action asserts that it would have been obvious to extend the carcass turn-up end in accordance with the claimed invention can only be reached through the impermissible application of hindsight reasoning based on the roadmap provided by Applicant's disclosure.

MPEP §2142 instructs that the proper standard by which is determined obviousness requires (1) that the Examiner step backward in time into the shoes of the hypothetical "person of ordinary skill in the art," (2) that "in view of all the factual information, the Examiner must then make a determination whether the claimed invention 'as a whole' would have been obvious at the time to that person," and (3) that any knowledge gained from

Applicant's disclosure must be put aside at reaching this determination in order to avoid the tendency to resort to the impermissible application of hindsight reasoning based on the roadmap provided by Applicant's disclosure. Clearly, there is nothing in Ogawa and/or Cottrell to suggest that one of ordinary skill in the art at the time of Applicant's invention may have, in any way, predictably modified Ogawa in the manner suggested by the Office Action, and such has not been adequately shown.

Even post-*KSR*, the analysis supporting an obviousness rejection must be explicit. The Supreme Court in *KSR* approved the conclusions set forth in the decision of the Federal Circuit in *In re Kahn* (citations omitted) that "rejections on obviousness cannot be sustained with mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." This standard is also not met here with the mere conclusory statement that one of ordinary skill in the art would have found it obvious to extend the carcass turn-up end in accordance to the claimed invention to correspond with the specific features recited with regard to the folded end of the turn-up cord layer in the specific arrangement recited at least in independent claim 8.

Lastly, MPEP §2143 is explicit in setting forth exemplary rationales to guide the obviousness analysis in supporting a rejection under 35 U.S.C. §103. The mandate of this MPEP section is that "the key to supporting any rejection under 35 U.S.C. §103 is a clear articulation of the reasons why the claimed invention would have been obvious." Not only is this standard ignored, but there is not even an attempt by the Office Action to frame the asserted obviousness rejection over Ogawa, alone, or in combination with, Cottrell under any exemplary rationale set forth in the Patent Office's guidance to its Examiners.

For at least the foregoing reasons, no reasonable interpretation of the currently-applied references, alone or in combination, can be considered to teach, or to have suggested, the combination of all of the features positively recited in independent claim 8. Further, no

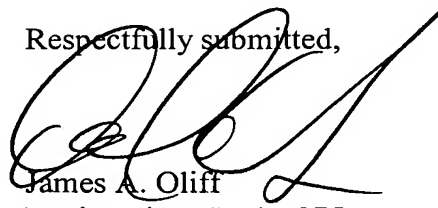
reasonable combination of the currently-applied references would have suggested claims 9, 12-14 and 16 for at least the respective dependence of these claims on independent claim 8, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 8, 9, 12-14 and 16 under 35 U.S.C. §103(a) as patentable over Ogawa and Cottrell are respectfully requested.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 8, 9, 12-14 and 16, consideration and allowance of claim 17, and rejoinder and allowance of claim 15, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Daniel A. Tanner, III
Registration No. 54,734

JAO:MJS/acd

Date: April 20, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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